



#6/Response
Shaver
10/15/02
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Corbett**, et al : Date: October 04, 2002
Serial Number: 09/829,888 : Group Art Unit: 2834
Filed: April 10, 2001 : Examiner: P. Cuevas
Title: **Linear Actuator** : IBM CORPORATION
Intellectual Property Law
Department 9CCA/Building 002/2
P.O. Box 12195
Research Triangle Park, NC 27709

AMENDMENT UNDER 37 CFR §1.111

Commissioner for Patents and Trademarks
Washington, D. C. 20231

Dear Sir:

In response to the Office Action dated **September 18, 2002**, please
find the following response:

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail under 37 CFR §1.8 in an envelope addressed to Commissioner for Patents and Trademarks, Washington D.C. 20231 on the date indicated below.

Date of Mailing: 10/4/02 Signature of person mailing: Amirah Scarborough

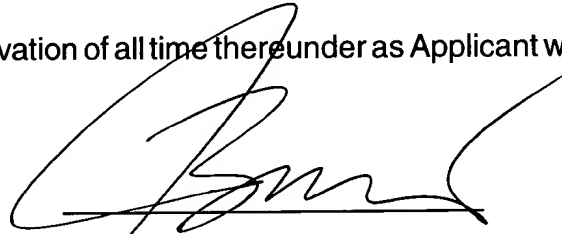
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PRELIMINARY REMARKS

Claims 1-30 are pending in the present application. Examiner has asserted a restriction is required as to one of two asserted invention categories including: (Group I) Claims 1-15 and (Group II) Claims 16-30.

REMARKS

Applicant has reviewed Examiner's comments. Applicant elects the linear actuator Group I claim set (now 1-15), without prejudice, per 37 C.F.R. §1.142(b). Applicant requests removal of the Examiner's restriction requirement. *Applicant also notes that there has been and remains no substantive action on the merits for the present Application since its original filing now over 18 months ago.* Applicant requests an early and favorable action from Examiner, and, in accordance and as would be permitted to the extent allowed under 35 U.S.C. §154, Applicant also requests a reservation of all time thereunder as Applicant would be entitled to. By:



J. BRUCE SCHELKOPF

Registration No. 43,901

Attorney for Applicant

IBM CORPORATION

Personal Systems Group

Telephone No.: (919) 543-4753

schelkop@us.ibm.com

Dated: 10/4/02

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